

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D. C. 20554

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AUG 13 1992

In the Matter of)
) MM Docket 92-127
)
Amendment of Section 73.202(b))
) RM-7917
Table of Allotments,)
)
FM Broadcast Stations)
(Germantown, Tennessee))

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: Chief, Policy and Rules
Division, Mass Media Bureau

COMMENTS OF CAROL B. INGRAM

Carol B. Ingram (Ingram) through her counsel, submits these, her comments in the captioned proceeding. Ingram originally received a construction permit for Cleveland, MS (BPH-880301NM) and has been assigned call letters WMJW(FM). Pursuant to a Report and Order released October 2, 1991, in MM Docket 89-415, her city of license was changed to Rosedale, MS, and her channel changed to 298C3.

1. Ingram's initial application pursuant to the changes proposed by MM Docket 89-415, (BMPH-911030IE) was returned (1) as filed prior to the effective date of the proposed channel change, and (2) as .7 km short-spaced to KXRC(FM), Clarendon, AR.

2. Ingram now has pending a resubmitted application for Rosedale, specifying coordinates 33° 56' 48" North Latitude and 90° 50' 58" West Longitude, (BMPH-920326IG).

3. The captioned proceeding proposes site coordinates for Germantown, TN as 34° 56' 28" North Latitude and 89° 42' 29" West Longitude, or 94.61 miles/152.25 kilometers distant from Ingram's site as specified in her pending application. Spacing required by

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List A B C D E

Section 73.207(b)(1) of the rules, co-channel C3 to C3 is 95 miles/153 km. Thus there is a proposed short spacing of .39 miles/.75 km¹ (See attachment A).

4. Examination of the site map included by Petitioner Omni Broadcasting Corporation in its Petition for Rule Making (Figure 1) shows a triangular Permissible Site Area, and a proposed site at the northwest interior angle. Since Rosedale (and Ingram's site) is South and West of Germantown, a site specified for Omni North and East of the site proposed in the NPRM could provide adequate spacing in accord with Section 73.207(b)(1) of the rules, and still lie within the Permissible Site Area.


5. Ingram has duly considered a change of her own proposed site, but is precluded from moving West by the Mississippi river (and complete unavailability of sites); north-westward by KXRC(FM) Clarendon, AR; southeast by co-channel WKXI(FM), Magee, MS.; and must, according to the Report and Order in MM Docket 89-415, (par.7) locate "with a site restriction of 18.8 kilometers (11.7 miles) northeast of the community [of Rosedale]" (See attachment B).

6. Should the Commission adopt a final Report and Order in this proceeding upgrading Omni, Ingram respectfully requests that it specify that Omni apply for a site that meets all spacing requirements of the rules, including the pending application of

¹ The petition of Omni Broadcasting Corporation in the captioned proceeding shows adequate spacing between Ingram and the proposed Omni site; but Omni's engineer used as coordinates for Ingram those set forth in her previous application, BMPH-911030IE.

Carol B. Ingram at Rosedale, Mississippi.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jul P. Freret", written over a horizontal line.

Julian P. Freret
Counsel for Carol B. Ingram

Booth, Freret & Imlay
1233 20th Street, N. W.
Suite 204
Washington, D. C. 20036
August 13, 1992

Distance & Bearing Calculations

Attachment A

Job title : ROSEDALE

Site No.	Latitude Longitude	Distance (miles)	Distance (kilometers)	Bearing From Site 1 and Reciprocal (degrees true)
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Site 1 coordinates (Germantown, TN)

? 34.56.28.89, 42.29

1 34-56-28.0
89-42-29.0

Site 2 coordinates

? 33.56, 48.90, 50.50

(Rosedale, MS)

2	33-56-48.0	GC= 94.61	152.25	223.75
	90-50-50.0	FCC= 94.59	152.22	43.11

Site 3 coordinates

Q14RF'Vizom/ (

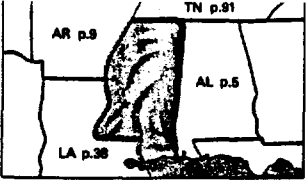
^Z

Site 3 coordinates

?

17,234 sq. mi. (31)
on: 2,586,443 (31)
les, E-W 180 miles
intain 806 ft., B-12
ital: Jackson, J-74
City: Jackson, J-7

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Beauvoir Jefferson Davis Home, P-4
Governor's Mansion, C-2
Mississippi Petrified Forest, I-6
Natchez, L-4
Natchez Trace Parkway, E-10
Old Capitol Museum, C-2
Vicksburg National Military Park, I-5
William Faulkner's Home, C-8

Mileage in red between red
arrowheads, in black between
intersections. Some interchange
numbers indicate mileage.

	Biloxi	Columbus	Greenwood	Hattiesburg	Meridian	Monticello	New Orleans
Biloxi		257	291	268	81	170	381
Columbus	257		165	110	175	180	89
Greenwood	291	165		65	210	121	143
Hattiesburg	268	110	65		89	89	213
Meridian	81	175	210	89		213	93
Monticello	170	180	121	89	213		244
New Orleans	381	89	143	213	93	244	



Attachment B

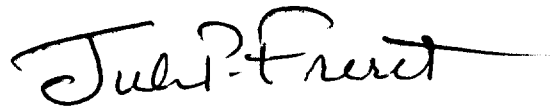
Rosedale

WKXI (FM) Magee, MS

CERTIFICATE OF SERVICE

I, Julian P. Freret, of the law firm of Booth, Freret & Imlay, do hereby certify that on August 13, 1992 a copy of the foregoing COMMENTS OF CAROL B. INGRAM was mailed via first class U. S. mail, postage prepaid, to the following address:

Harold K. McCombs, Jr., Esq.
Holland & Knight
888 17th Street, N. W.
Suite 900
Washington, D. C. 20006

A handwritten signature in cursive script that reads "Julian P. Freret". The signature is written in dark ink and is positioned above a horizontal line.

Julian P. Freret